

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

TERRY MICHAEL STEVENS, :
: Petitioner.
: :
vs. : : CIVIL ACTION 12-0606-KD-M
: :
GARY HETZEL, : :
: : Respondent. : :

ORDER

After due and proper consideration of all pleadings in this file, and there having been no objections filed, the Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b) (1) (B) is adopted as the opinion of this Court.

It is ORDERED that the habeas petition be DENIED and that this action be DISMISSED. It is further ORDERED that any certificate of appealability filed by Petitioner be DENIED as he is not entitled to appeal *in forma pauperis*.

DONE this 4th day of March, 2013.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE